

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v.- :

SEALED  
INDICTMENT

GREGORY COOPER, :  
a/k/a "Thornton Lockheed," :

LAWRENCE BURKE, :  
a/k/a "Clover Hill," :  
a/k/a "John Byron", :

RICCARDO WHITE, :  
a/k/a "Frank White," :  
a/k/a "Marc Allen," and :

ZACHARY CUTLER, :  
a/k/a "Josh Carter," :

Defendants. :

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COUNT ONE

(Conspiracy to Commit Mail Fraud and Wire Fraud)

The Grand Jury charges:

Mortgage Broker Conspiracy

Background

1. GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, ZACHARY CUTLER, the defendants, along with others, operating mainly from an office in Central Valley, New York, contacted residential mortgage brokers throughout the country and sold them lists containing names of individuals purportedly interested in obtaining mortgages. In order to induce the mortgage brokers to purchase the lists, the defendants, among other things, promised that the people on the lists were interested in obtaining mortgages, promised to introduce the mortgage brokers to the individuals on the lists through a letter or a phone call, and claimed that their company, Nationwide Data Corp., was associated

with the well-known Nationwide Mutual Insurance Company. In actuality, the lists were not lists of people interested in obtaining mortgages, the promised letters were not sent nor the promised phone calls made to the people on the lists, and Nationwide Data Corp. was not associated with Nationwide Mutual Insurance Company.

#### The Conspiracy

2. From at least in or about March 2003, through in or about August 2006, in the Southern District of New York and elsewhere, GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, ZACHARY CUTLER, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Sections 1341 and 1343.

#### Mail Fraud

3. It was a part and an object of the conspiracy that GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, ZACHARY CUTLER, the defendants, and others known and unknown to the Grand Jury, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and private and commercial interstate carriers, and took and received therefrom, matters and things, and knowingly caused

to be delivered by mail and such carriers according to the direction thereon matters and things, for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1341.

Wire Fraud

4. It was further a part and an object of the conspiracy that GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, ZACHARY CUTLER, the defendants, and others known and unknown to the Grand Jury, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, unlawfully, willfully, and knowingly, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

Overt Acts

5. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about September 2005, GREGORY COOPER rented a mailbox at a UPS Store in New York, New York.

b. In or about January 2006, a letter of introduction was faxed to a mortgage broker in Washougal,

Washington.

c. In or about May 2006, a mortgage broker sent a check to Monroe, New York by Federal Express.

d. In or about May 2006, LAWRENCE BURKE spoke to a mortgage broker on the telephone from the basement of GREGORY COOPER's house in Central Valley, New York.

e. In or about May 2006, RICCARDO WHITE spoke to a mortgage broker on the telephone from the basement of GREGORY COOPER's house in Central Valley, New York.

f. In or about May 2006, ZACHARY CUTLER spoke to a mortgage broker on the telephone from the basement of GREGORY COOPER's house in Central Valley, New York.

(Title 18, United States Code, Section 1349.)

#### COUNT TWO

(Conspiracy to Commit Mail Fraud and Wire Fraud)

The Grand Jury further charges:

#### Homeowner Conspiracy

##### Background

6. Beginning in or about December 2005, GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, ZACHARY CUTLER, and others, along with others, operating mainly from an office in Central Valley, New York, contacted homeowners in and around New York City and offered them mortgages with low interest rates for as many as five years and attractive rate caps once the loan adjusted. They also claimed that their company, Nationwide

Lending Group, was a member of the Better Business Bureau and/or was associated with the well-known Nationwide Mutual Insurance Company. The terms of the mortgages obtained through the defendants were materially different from those offered by the defendants. In addition, in actuality, the defendants' company, Nationwide Lending Group, was not a member of the Better Business Bureau or associated with Nationwide Mutual Insurance Company.

#### The Conspiracy

7. From at least in or about December 2005, through in or about June 2007, in the Southern District of New York and elsewhere, GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, ZACHARY CUTLER, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Sections 1341 and 1343.

#### Mail Fraud

8. It was a part and an object of the conspiracy that GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, ZACHARY CUTLER, the defendants, and others known and unknown to the Grand Jury, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal

Service, and private and commercial interstate carriers, and took and received therefrom, matters and things, and knowingly caused to be delivered by mail and such carriers according to the direction thereon matters and things, for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1341.

Wire Fraud

9. It was further a part and an object of the conspiracy that GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, ZACHARY CUTLER, the defendants, and others known and unknown to the Grand Jury, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, unlawfully, willfully, and knowingly, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

Overt Acts

10. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about September 2006, a credit history

for a homeowner was obtained by computer from Kroll Factual Data Service in Loveland, Colorado.

b. In or about May 2006, LAWRENCE BURKE spoke to a homeowner on the telephone from the basement of GREGORY COOPER's house in Central Valley, New York.

c. In or about May 2006, RICCARDO WHITE spoke to a homeowner on the telephone from the basement of GREGORY COOPER's house in Central Valley, New York.

d. In or about May 2006, ZACHARY CUTLER spoke to a homeowner on the telephone from the basement of GREGORY COOPER's house in Central Valley, New York.

e. In or about October 2006, a homeowner in Bronx, New York sent a check to Monroe, New York by Federal Express.

f. In or about June 2007, GREGORY COOPER attended a closing in Queens, New York.

(Title 18, United States Code, Section 1349.)

#### **FORFEITURE ALLEGATION**

11. As a result of committing the offenses alleged in Counts One and Two of this Indictment, GREGORY COOPER, LAWRENCE BURKE, RICCARDO WHITE, and ZACHARY CUTLER, the defendants, shall forfeit to the United States pursuant to 18 U.S.C. § 982, any property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses charged in this

Indictment.

Substitute Asset Provision

12. If any forfeitable property, as a result of any act or omission of the defendants:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C); Title 28, United States Code, Section 2461; Title 21, United States Code, Section 853(p).)

Ingrid R. Green  
FOREPERSON

Michael J. Garcia  
MICHAEL J. GARCIA  
United States Attorney